
**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

**J. THOMPSON, et al., individually and on
behalf of all others similarly situated,**

Plaintiffs

vs.

1-800 CONTACTS, INC., et al.,

Defendants.

RULING & ORDER

Case No. 2:16-cv-01183

District Court Judge Tena Campbell

Magistrate Judge Dustin Pead

This matter was referred to Magistrate Judge Dustin Pead pursuant to a 28 U.S.C. §636(b)(1)(A) referral from District Court Judge Tena Campbell. (ECF No. 69.) A Status Conference was held on August 22, 2018 at 2:00 p.m. Attorneys Carl Goldfarb, Steven Jodlowski, David Mitchell, and Ronald Marron were present on behalf of the Plaintiff. Attorney Justin Raphael was present on behalf of Defendant 1-800 Contacts. Attorney Chul Pak and Justin Cohen was present on behalf of Defendants Walgreen Co. and Vision Direct, and Attorney Alycia Broz was present on behalf of Defendant Luxottica.

As set forth on the record, the court rules as follows:

1. Regarding the Protective Order, the court adopts the proposal set forth in Plaintiffs' Status Report filed on August 28, 2018 [175]. If the parties are unable to reach an agreement on the remaining provision, they are authorized, no later than August 28, 2018, to submit a proposed order with their respective suggested language on the disputed provision in red line and a two-page brief, for the court's resolution, setting forth each party's position on the disputed issue.
2. 1-800 Contacts, Walgreens and Vision Direct have produced materials from the FTC action. Luxottica will produce its FTC materials no later than August 31, 2018.
3. 1-800 Contacts, Vision Direct and Walgreen Co. will produce transactional data by September 28, 2018. If an issue arises, such that there will be data production after the September 28, 2018 deadline, the parties are required to file a joint status report informing the court thereof.
4. As to Luxottica, final determinations on data fields are due September 12, 2018, with the full production of transactional data due by October 12, 2018.

IT IS SO ORDERED.

Dated this 23rd day of August, 2018.

By: _____

Dustin B. Pead
U.S. Magistrate Judge